

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:97-CR-5-F6

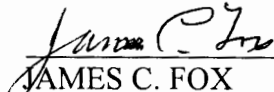
UNITED STATES OF AMERICA,)
)
 v.)
)
ERIC ORSON MERRITT, II,)
 Defendant.)

ORDER

This matter is before the court on the Defendant's Motion for Reduction of Sentence [DE-269] pursuant to 18 U.S.C. § 3582(c)(2) and United States Sentencing Guidelines § 1B1.10(c) (the "18:1" crack cocaine retroactivity amendment to the sentencing guidelines). By separate order filed today and pursuant to § 3582(c), the court has reduced Merritt's sentence by an amount that is greater than what Merritt requested in his § 3582(c) motion. Merritt's motion [DE-269] is therefore DENIED AS MOOT.

SO ORDERED.

This the 21st day of November, 2013.



JAMES C. FOX
Senior United States District Judge